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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 PASQUALE NIGRO,

12 Petitioner,

2:05-cv-0712-GEB-CHS-P

13 vs.

14 M. EVANS,

15 Respondent.

ORDER

16 _____/
17 Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of
18 habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States
19 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

20 On December 19, 2008, the magistrate judge filed findings and recommendations
21 herein which were served on petitioner and which contained notice to petitioner that any
22 objections to the findings and recommendations were to be filed within twenty days. Petitioner
23 has filed objections to the findings and recommendations.

24 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule
25 72-304, this court has conducted a de novo review of this case. Having carefully reviewed the
26 entire file, the court finds the findings and recommendations to be supported by the record and by

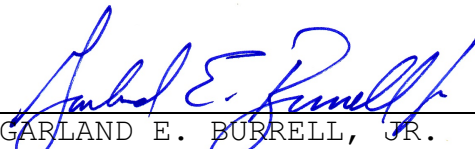
1 proper analysis.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The findings and recommendations filed on December 19, 2008, are adopted in
4 full; and

5 2. Petitioner's petition for a writ of habeas corpus is denied.

6 Dated: January 20, 2009

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9 GARLAND E. BURRELL, JR.
United States District Judge